


CHAP. 136.  nal company, a conveyance of all right, estate and interest, in said Susquehanna canal, and its works, to the said Pennsylvania and Maryland canal company, then their right to subscribe for said stock, under this section, shall utterly cease, and be void, and the president and directors of the last mentioned company, or a majority of them, may cause the canal, improvements, and works of said Susquehanna canal company, to be valued in the manner prescribed by the sixteenth section of this act, and after having caused the same to be viewed by a jury formed agreeably to the directions of that section, may immediately after the view by such jury, enter upon, use, occupy or destroy the same, before inquisition made, and returned by said jury; and the inquisition of said jury shall be made, returned and confirmed, in the manner directed by said section; and after the payment, or tender of the valuation of such jury of inquest, to the president or treasurer of said Susquehanna canal company, the said Pennsylvania and Maryland canal company shall become entitled to, and possessed of, all the rights, interests and estate, of said Susquehanna canal company, in and to said canal, and its works; *Provided*, that the said Susquehanna canal company shall be entitled to the amount of valuation found by said inquest, whether refused, when tendered, or not.

Disposal of water
—Canal when
completed, vested
in stockholders—
Tolls

19. *And be it enacted*, That the president and directors of said Pennsylvania and Maryland Canal Company, shall be and they are hereby prohibited from selling or disposing of any water from said canal, except where the wasting of the same may be to the advantage and for the security of said canal; and that the said canal, with all its works, improvements and profits, when completed, shall be, and the same are hereby vested in the several stockholders in the same, as tenants in common, and the stock in the same, whenever vested in individuals, shall be vested in them, their heirs and assigns; but the said canal, when completed, shall be, and shall forever remain navigable as a public highway, free for the transportation of all goods, merchandise, produce, or articles of any description whatsoever, on payment of the tolls imposed by the company under this act, and that no toll or imposition of tax, for the use of said canal company, shall be collected or levied, except what is allowed by this act, unless by the express permission of the states of Pennsylvania and Maryland; and that the said canal, and its works, shall be forever exempt from the payment of any tax, imposition or assessment whatsoever, by either or both of said states, and that the president and directors of said company may regulate and establish, and modify at their pleasure, a tariff of tolls, not exceeding an average of two cents per ton per mile, subject to the discretion and control of a majority in value of the stockholders of said company, in general meeting assembled; and the said president and directors, or a majority of them, may provide for the erection of toll-houses, and appoint toll-gatherers, may determine the place at which tolls shall be demanded, and may demand and receive tolls, according to the tariff of tolls permitted or established by this act, for the passage of boats, arks, rafts, and all property or produce whatsoever, passing along said canal, and may refuse pas-